

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ISAIAH ROBINSON,

Plaintiff,

v.

Case No. 21-10520

STATE OF MICHIGAN, et. al.,

Defendants,

**OPINION AND ORDER DENYING THE MOTIONS
FOR RECONSIDERATION (ECF Nos. 10, 11, 12).**

Plaintiff filed a civil rights complaint under 42 U.S.C. § 1983. The complaint was dismissed in part with prejudice and in part without prejudice. See *Robinson v. Michigan*, No. 3:21-CV-10520, 2021 WL 1388027 (E.D. Mich. Apr. 13, 2021).

Plaintiff filed two lengthy “objections” and an “affidavit,” which are construed as motions for reconsideration. For the reasons that follow, the motions are denied.

Eastern District of Michigan Local Rule 7.1(h) provides that, “without restricting the court’s discretion,” a motion for reconsideration will not be granted unless the movant can (1) “demonstrate a palpable defect by which the court and the parties have been misled,” and (2) show that “correcting the defect will result in a different disposition of the case.”¹ E.D. Mich. LR 7.1(h)(3). “A ‘palpable defect’ is ‘a defect that is obvious,

¹ On December 1, 2021, this court instituted a new version of E.D. Mich. LR 7.1(h) that heightened the standard for motions for reconsideration. Since Plaintiff’s motions were filed before the new rule became effective, this opinion applies the pre-existing version of the local rule. See Kinikia Essix, *Notice of Amendments to Local Rules*, Nov. 10, 2021, <http://www.mied.uscourts.gov/PDFFiles/ntcProposedAmdDec2021.pdf>.

clear, unmistakable, manifest, or plain.”” *Pietrowski v. Merchants and Medical Credit Corp.*, 256 F.R.D. 544, 552 (E.D. Mich. 2008)(internal citations omitted). A motion for reconsideration which presents the same issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *Id.* (citing E.D. Mich. LR 7.1(h)(3)).

Plaintiff’s lengthy motions for reconsideration will be denied, because Plaintiff merely presents issues which were already ruled upon by this court, either expressly or by reasonable implication, when the court summarily dismissed the civil rights complaint. See *Hence v. Smith*, 49 F. Supp. 2d 547, 553 (E.D. Mich. 1999).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s Motions for Reconsideration (ECF No. 10, 11, 12) are DENIED.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 20, 2022

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 20, 2022, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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